KIRK ANDERSON'S

# VALLEY TAN.

BY KIRK ANDERSON. EIGHT DOLLARS IN ADVANCE.

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THE VALLEY TAN.

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[COMMUNICATED.]

For the Valley Tan.

## The Murder of the Parrishes and Potter at Springville, on Sunday night, March 14, 1857.

By testimony taken on a preliminary examination in the case pending, wherein Alex. F. McDonald, H. H. Carnes, John Daley, Abraham Durfee, — Nethercott, Jos. Bartholomew and Kimball Bullock, are defendants, it appears that aboutthe 1st day of March, 1857, a private council-meeting was held at Bishop Johnson's house in Springville. Nothing is elicited as to what took place in this first meeting, except that the object was to talk about apostates and the disposition to be made of them.

About a week after this another meeting is held at the same place, at which time Duff Potter and Abraham Durfee are selected for the purpose of attending to the Parrishes and some person residing at the Indian farm.

The evidence does not disclose the names of all the persons there, the witness however, recollects the following named persons, as participating in both of those meetings: Aaron Johnson, the Bishop of Springville, Lorenzo Johnson, his brother, A. F. McDonald, Mayor of the city of Springville, Andrew Wiles, William Bird, Lorin Roundy, Simmons Curtis, Duff Potter, Abraham Durffee, and Joseph Bartholomew.

Other meetings are said to have been held, but nothing definite in regard to them has appeared in the testimony.—During the week following, the last meeting, Parrish was robbed of four horses and a carriage. The family, after the murder of the Parrishes, recovered two of the horses and the carriage. They were found in the stable of Kimball Bullock, present Mayor of Provo.

Lysander Gee, of Tooele Valley still holds possession of the other two horses, said to be worth about 4 or 500 dollars.

Early in the week before the murder, William Johnson, a Mr. Metcalf and a person whose name is not recollected, came to the house of Mr. Parrish, professing to be religious teachers, and questioned him in regard to his faith.—His answer to them seems not to have been satisfactory. A short time after this, Alexander McDonald and Wilber J. Earl come to the house of Mr. Parrish about dusk in the evening, and take him out to talk with him; he is taken across the street behind an unfinished house belonging to a nephew of Potter's. Owen Parrish, a lad of 18 years, starts to follow, but is ordered back by McDonald. Alvira Parrish, the wife of Mr. Wm. R. Parrish, passes over into this house, and from an open window hears a conversation which she states as follows:

"McDonald told my husband that he should never see his grey horses any more, that he had stolen them from a widow woman. My husband said, that if he could go to Brigham Young's he could get papers to show that the horses were his own, and that he had honestly obtained them. McDonald or Earl replied: if you start to go to see Brigham you will never get there. My husband opened his bosom and said, you can kill me now, if you choose. McDonald replied, we don't wish to shed blood now."

Mrs. Parrish ran back home when she saw them about to part. Her husband came in in a minute or two after, when Mrs. Parrish said; "You have your orders." Her husband asked how she knew anything about it, when she told him, and told him what was said. Her husband then said, "you will be a living witness when I am gone."

Abraham Durfee is at this time working for Mr. Parrish. Durfee and Potter pretend to Parrish that they are dissatisfied with the condition of affairs here, and impress him with the belief that they are desirous of getting to California; state that threats have been made against them on account of their not living up to the faith, and that their lives are in danger.

Arrangements are made that Durfee, Potter, Parrish and his two sons shall leave on Sunday night, the 14th of March.

Durfee and Potter are at Parrishes at 10 o'clock on the morning of that day.

Parrish asked them whether they were true to their trust. Durfee replies, "yes, brother William, I am as true as a hare, but when it comes to the test I don't know how I shall do." Potter took a gun to pieces, which belonged to Mr. Parrish so that it could be carried out without being observed.

Durfee, in conversation said, that when they were leaving, they ought to go out one at a time, to avoid suspicion Parrish, the father, and Durfee left about 2 o'clock in the day. Durfee returned again about dusk to get a gun belonging to Owen Parrish; went away with the gun; afterwards returned and said that he had come from where Parrish was. Upon being interrogated by Mrs. Parrish, he said that he was outside of the Fort, and would stay there for safety, and that he had told him to tell her to send the boys out, whether they were ready or not. Durfee and the two Parrish boys then leave, the boys carrying bundles of provisions and ammunition.

Durfee parts with the boys near the South gate of the city, and directs them to the South-west corner of the city wall. Durfee comes to them there; asks the elder Parrish boy to go with him to find some things that he had hid out in a field. They go and return in about 10 minutes to the other boy, Owen, Durfee saying that he could not find his things.

While they are gone Owen hears the report of a gun in a south-east direction and apparently where they are to meet at the corner of the fence. Owen asks what is meant. Durfee allays suspicion by saying some Indians were camped down there, and also saying that it might perhaps be a signal from old man Parrish, or Potter.

Durfee and the boys start in the direction of the corner of the land fence where it had been arranged they all should meet after dark. After they had crossed the fence from the field into the road and got near the place, Durfee calls out, "Duff, Duff," (Potter's name) and stops and looks towards the fence on the east side of the road. Afterwards all proceed on, and when within fifteen or twenty feet of the corner of the fence, where all are to meet, some one called out, "Durfee," three times. Durfee answers, and immediately a gun or pistol is fired. Wm. B. Parrish, the eldest son, who is the farthest from Durfee, falls dead. Both of the sons are unarmed. Several shots are fired, one ball taking effect in a cartridge box that Owen Parrish had on.—Durfee drew up his gun, pointed it at Owen and bursted a cap, but the gun failed to go off.

Owen immediately jumped over the fence into the fields and made his escape into the city, climbing the city wall where it was low. While going through the streets he heard some person behind him say, "he went this way." He ran to his uncle's house, 10 or 12 men standing in front of it, but passed them and into the house so quick that they could not stop him. Told his uncle that Beason (being his brother Wm.'s middle name) had been shot, and wanted him to go and see if he was alive. He was afraid to go, but got a man by the name of Brooks to go. Upon the following day the widow of Parrish is allowed to go and see the bodies of her husband and son, and Orrin is taken to the school house at the same time; Durfee is found there. John M. Stewart, the justice, who was at the preliminary secret councils, before-mentioned, in which the fate of the Parrishes was decided, is there pretending to hold an inquest upon the bodies. The jury composing the inquest are—

Durfee is sworn; states very little, but says that he pointed his gun at the enemy.

Orrin Parrish is also sworn, who testifies that he cannot give a statement in the matter, and is very much frightened. Orrin now says that his uncle told him so to state; that if he identified any of the persons and they learned who he knew, that was engaged in it, he would be put out of the way.

Of course the verdict of the corner's inquest is that they were murdered by persons unknown.

In the morning of that day, Mrs. Parrish hearing that Orrin was at his Uncle's, went over to see him and found him in bed; she attempted to speak to to him but was jerked away by William Johnson. He said she should not speak to him unless she spoke in a loud voice. She then spoke out and wanted to know where his father was. Orrin said that he did not know. Seeing some persons about the school house, she sent her third son, Albert, to the school house; he came back and said that his father, Beason and Potter were laying in there, dead.

On the same Sunday that the murder is committed, after church services in the city of Provo, President Snow, of the Provo stake, desired to know if there was any one there who would carry a letter which he held in his hand to Bishop Johnson, of Springville, and place it in his hands. Nethercott stepped up and said he would take it. Snow charged him specially to deliver it safely to Bishop Johnson himself, saying at the same time, "dead men tell no tales."

The preaching that morning had been in regard to apostates and the proper disposition of them.

The body of old man Parrish was literally cut to pieces. His throat was cut on the left side, his fingers and arms, his back—in fact, his whole body was covered with knife-wounds of which he had received as is testified; at least fifteen. There were no wounds of pistol or rifle balls on his body.

Potter was killed by three balls, probably from a shot gun, which entered the body on the left breast, a little below the nipple.

Wm. Beason Parrish was shot through by four balls, which, entering, passed through his left arm and side, and came out at about the centre of his back.

Mrs. Parrish says that George McKensie told her, that Bishop Johnson ordered him to drive the wagon out, but that he did not know at the time what he was going out for. McKensie said the bodies were thrown into the wagon like dead hogs, some one remarking, "This is the way the d——d apostates go. McKensie has since left for California.

Mrs. Parrish further testifies that her husband had a $500 Territorial order in his pocket book when he left home that day, which has never been returned. That she went to Salt Lake City in the month of July following the murder of her husband, to see Brigham Young: Brigham said the people in Springville were fifteen years a-head of him; if he had known about the matter, he would have stopped it. Said he would try to get the horses; she told him that Gee had possession of the horses, and that he said nothing, but an order from Brigham would get them. Brigham's clerk put all that was said down in a book. Brigham said he would write to her, but never did. She went to see Brigham again between last Christmas day and New Year's; went into his office about 8 o'clock in the morning, and sat there till 4 o'clock in the afternoon. His clerks were present. At 4 o'clock they told her she could not see Brigham that day, but to call the next, between 8 and 11 o'clock in the morning. She went there the next morning about 8 o'clock, and was then told she could not see him. About the time she was leaving, Mr. John Sharp, captain of police in Salt Lake City, called her back, and asked her what she was going to do about her matters. She told him she did not know. From there she went to John Young's, and thence to Mr. Long's. She noticed Sharp and one of Brigham Young's clerks following her. One of them finally called her, and Sharp said to her, that if she wanted to get her horses back, she had better not go into court, but wait until the soldiers were gone, and then she would get them with fourfold, and that it would be best for her to drop it. While in Brigham's office, the clerk told her that Brigham did not want to see her, that she should put the matter into the hands of the Bishops; that Bishop Johnson, Bishop Hancock and Bishop Rowberry would settle it for her.

Several witnesses testify that about the time of the murder of the Parrishes, it was a very common thing to hear Bishops and Elders speak in their meetings about what was to be the fate of apostates, that as Brigham Young says, "Judgment was to be laid to the line and righteousness to the plummet;" which in plainer terms meant that apostates were to have their throats cut to save them.

Orson Hyde, a short time before the murder of the Parrishes, in a discourse delivered at Springville, said that apostates would not be allowed to leave; and if they attempted it, hogholes would be stopped up with them. Elder Snow also made a similar remark at the same place.

## Army Intelligence.

On Saturday Hon. Jefferson Davis reported from the Senate Committee, on Military Affairs a bill to fix the pay and regulate the allowances of officers of the army.

The first section provides that the rations allowed by the act of March 16, 1802, April 24, 1816, and March 2, 1827, shall be commuted at the price fixed by the act of February 21st, 1857, and the amount of such commutation shall be added to the pay of each officer according to his grade, and that hereafter no other commutation for said rations shall be allowed.

The second section provides that the additional ration allowed each commissioned officer for every five years of his service shall in like manner be commuted, and the amount of such commutation shall also be added to the pay of such officer according to the length of his service.

The third section repeals that part of the law of August 23, 1842, which allows additional or double rations to the commandant of each permanent or fixed post garrisoned with troops.

The fourth section provides that officers having brevet commissions shall not be entitled to any increase of pay or emoluments because of the exercise of command according to their brevet rank.

The fifth section provides that officers of the army while absent from their duties, either with or without leave, shall not receive the allowances authorized by the existing laws for servants, forage, transportation of baggage, fuel, and quarters, either in kind or in commutation.

Col. Sumner arrived at Fort Leavenworth on the 15th ult.

Lieut. Whipple, of the 3rd infantry, has been engaged in preparing a map of the Navajo country, which will prove a valuable acquisition.

The loss of the Navajo Indians has been, during the war, over $100,000, besides lives and huts—the latter reaching at least 1,000.

The Dallas Herald has heard of Major Van Dorn's company. It is 115 miles north of Red river, and upwards of 100 west of Fort Arbuckle. His command consists of seven companies of cavalry and one of infantry. They are constantly on the scout. A party of government surveyors have been settling the lines of the Indian territory, and they find Capt. Marcy's line forty miles too far east. This will throw the surveys for the central road into the Indian territory, if the last survey is confirmed.

The same paper says that at last accounts Maj. Palmer, U. S. A., with two companies of cavalry and two pieces of ordnance, from Fort Belknap, was at the Brazos Agency, to resist every incursion on the Indian Reserves. — *Washington States; D. C.*

## The Mining News.

The news received from the gold mines since our last is very flattering—very encouraging. The latest we have is from the St. Joseph *Journal* and Wyandott *Gazette*, though a very interesting letter will be found on our first page. Recent explorations in the mountains have resulted in the discovery of what is known as "shot gold," or coarse gold,—a quality approximating the "nugget." If any doubt has existed as to the surface gold paying, the recent development of its existence in coarser quantities will allay all uncertainty and misapprehendsion in the minds of the thousands who have meditated upon a journey thither the coming spring. Take the mountain ranges, then, and there is a field for exploration and research many times greater in extent than those of California, throughout which but little doubt can be maintained, from the facts alluded to, of rich bed and quartz gold deposits. Indeed, the discoveries in that extensive field may be said not yet to have commenced. We now look for results—large yields, and "fortunes in a day." In the new mountain diggings, it is stated that miners are taking out from twenty-five to fifty dollars a day.

A poor young man once fell in love with an heiress and the passion being returned, it only wanted the parents' consent to make him happy. At length, meeting the father, he asked for the daughter's hand. "How much money can you command?" asked the millionaire gruffly. "I cannot command much was the reply. "What are your expectations?" "Well, to tell the truth, I exto run away with your daughter and marry her, if you don't give your consent."

# THE VALLEY TAN.

KIRK ANDERSON, EDITOR.

*G. S. L. CITY, APRIL* 5, 1859.


Recent events connected with the administration of Justice in this Territory, have created great excitement, not only here but in other portions of the Territory. The history of these proceedings have been detailed from time to time through the columns of the *Valley Tan*, and in the short space that is allowed us we can only advert to them. Judge Cradlebaugh in the exercise of his judgment, saw fit to make a requisition upon General Johnston, for some troops to guard prisoners, and protect witnesses, whose lives had been threatened during the term of his Court at Provo. This requisition was promptly complied with, the troops went to Provo, where they have been ever since. It would appear however, that the right of Judge Cradlebaugh is doubted by Gov. Cumming, who has issued a solemn *protest* against the presence of the troops. Upon this we take issue with Gov. Cumming, and think that he has overstepped the Executive barrier, and unjustifiably interfered with the Judiciary, a department of the Government, whose duties are well defined, and which is as independent in its action as the Executive branch.

It is a principle that cannot be gainsayed, that the Judiciary, in the exercise of its civil functions have a right to call upon the military when the ends of justice are attempted to be thwarted, or the authority of the Government is attemped to be set at defiance. Judge Cradlebaugh with a full knowledge of these facts, has taken the responsibility to draw off a small portion of the military force at Camp Floyd, for the purposes mentioned, in this we think he acted wisely, and the history of his courts proceedings fully attest it. Not only had he a right as a Federal Judge to do this, but these were *positive instructions* sent to Gen. Johnston, which warranted his action as well as Gen. Johnston himself. This point is unquestionable. What next? Why after he had exercised an undoubted right, Gov. Cumming issued his protest, and by this official act on his part, directly interfered with a co-ordinate branch of the Government, the Judiciary, and that too when his official position gave him no right to interfere, and come in contact with the orders of a United States Judge.

The influence this *caveat* had upon the Mormon people was to encourage them to resist the execution of the laws, as they felt that they were backed by the Executive of the Territory. We regret that Gov. Cumming has placed himself in this attitude, for we have a high personal regard for him, but his position is totally untenable, and which we think he will find out not only at the bar of public opinion but to those in authority, to whom he is responsible for his official action. It is a matter of deep concern that there should be a rupture, and one so important in its bearing as this, between the civil officers of this Territory; but it has come and the question must and will be met, and while the Governor has, we think, very hastily and unwisely fallen into the Mormon "memorial" trap set for him, and so numerously as it is alledged signed, the Judiciary of both districts that have presided in this Territory, so far as we are able to appreciate a principle or an argument, have clean records.

Want of space prevents us from pursuing this subject farther. We shall resume it again.

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From persons who have recently arrived from Provo, we glean the following items. The Judge adjourns his Court from day to day, and in the meantime is sitting as a Committing Magistrate.

The command encamped on the Provo river, above the City, have been moved down within three miles of Provo, so as to be ready for any emergency.

One night last week, the sentinels on duty at the guard tents were stoned by parties hid behind the buildings. If it is repeated, we understand that orders have been given the sentinels to fire upon their assailants.

The people we farther learn, in explanation of the matter, say that it was done by some unruly *Indian* boys—"Lo the poor Indian."

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We give up most of our columns to the proceedings at Provo. They are not only of local interest here, but will we are sure be read with interest by the people abroad.

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We understand that a session of the Probate Court was held in Cedar County, at Cedar Fort. A Grand Jury was empannelled, (?) and the court after sitting two or three days, adjourned without doing anything.

We understand that there is a rumor prevailing to some extent in Camp that Secretary Hartnett had harbored the two men, Durfee and Bartholomew, who were recently taken down to Provo, from this city. This does Mr. Hartnett great injustice; the facts are, these two men first applied at the store of Livingston, Kinkead & Co., for protection, fearing as they said, that the Mormons would take their lives. Mr. Kinkead referred them to the Secretary, who, after hearing their story, and believing them to be equally implicated in guilt, placed them in a room, locked the door and placed a guard over them, and immediately dispatched a messenger to U. S. Marshal Dotson, at Provo, who, it appears, had a warrant for these identical men.

The marshal arrived next day and took them down; and recent information says that they have proved most important witnesses. So far, therefore, as Mr. Hartnett having "harbored them, he actually *secured* them, and thus facilitated the ends of justice.

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We understand that a rumor exists to a considerable extent in various parts of the Territory, that Gov. Cumming contemplated calling out the militia, embracing the Nauvoo Legion. Widely as we disagree with his Excellency in his present policy, yet we know that his large experience and good sense are in themselves a sufficient answer to such rumors.

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The "traveling Calaboose," is the term the "breethren" have applied to the soldiers on duty at Provo. It doesn't make a "dif of bitterence" what they call them so long as they perform a duty which Mormon legislation has failed to do, and that is to provide a place for the security of prisoners. In fact take all the legislation bearing upon this subject into consideration, the non-payment of territorial officers, and it would almost appear that the authorities that govern this people, desired to recognize and encourage crime rather than punish it, and the proceedings at Provo for the last few weeks go far to confirm this opinion.

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The last California Mail came in more than sixty hours inside of schedule time.

If it was not for the punctuality of this mail, we do not know what we would do. It was through this medium bringing us the California papers that we obtain the latest news from the "States."

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The Eastern mails have not yet arrived. There are now two due, and portions of another. The recent snow storms, and the breaking up of the South Platte, and other streams, are obstacles that human energy and industry cannot surmount.

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Information has been received here, that a man by the name of Staunton was arrested a few days since by one of the U. S. Deputy Marshals.

We are not advised of what he is charged with.

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☞The following comprises the original command that went to Provo with Judge Cradlebaugh:—

Co. E, 10th Infantry, and a detachment from the 7th and 5th Infantry, under command of Capt. Henry Heth, of the 10th Infantry, with 1st Lieut. N. A. M. Dudley, 10th Infantry, A. A. Q. M. and A. A. C. of S. 2d George Ryan, 7th Infantry, has since been detached to serve with this command.

On the 22d inst., Bvt. Major G. R. Paul, 7th Infantry, arrived from Camp Floyd, and camped near the mouth of Provo Kanyon, about four miles from the city of Provo, with the following companies:—

| | | | |
|---|---|---|---|
| Co. H, | 10th Infty, | Capt. A. Tracy, | |
| " A, | " | 1st Lt. H. B. Kelly, | comdg, |
| " F, | " | 1st Lt. John Forney, | " |
| " F, | 7th Infty, | Capt. H. Little, | " |
| " B, | " | 1st Lt. P. W. L. Plympton | |
| " K, | " | 1st Lt. A. H. Plummer | " |
| " H, | " | 1st Lt. A. W. Evans, | " |
| " I, | " | 2d Lt. C. B. Stivers, | " |

One section of Light Battery, Company B, 4th Artillery, under command of 1st Lt. S. H. Weed; and Company E, 2d Dragoons, 1st Lt. Geo. N. Gordon commanding, with 2d Lt. H. B. Livingston attached.

The following officers are serving with this latter force:—1st Lt. D. P. Hancock, 7th Infantry; 2d Lt E. K. Potts, 7th Infantry; 2d Lt. J. L. Thompson, 10th Infantry, 2d Lt. William Kearney, 10th Infantry.

2d Lt. Edward J. Brooks is the Adjutant and A. A. Q. M. and A. A. C. of S. Assistant Surgeon John Moore accompanies the troops.

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THE WEATHER.—The weather of late has been unusually cold, and snow-storms were the order of almost every day; but since yesterday (Saturday) morning, it looks as if it was opening for spring, unless it will snow again before we go to bed.

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X G. S. L. CITY, March 29th, 1859.

MR. KIRK ANDERSON:

SIR:—You will please publish the inclosed communication, and oblige

A. CUMMING.

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**BY ALFRED CUMMING,**
GOVERNOR, UTAH TERRITORY.

## A PROCLAMATION.

*Whereas*, one company of the U. S. Infantry, under the command of Captain Heth, is now stationed around the Court House at Provo, where the Hon. John Cradlebaugh is now holding court, and eight additional companies of infantry, one of artillery, and one of cavalry, under the command of Major Paul, are stationed within sight of the Court House; and,

*Whereas*, the presence of soldiers has a tendency, not only to terrify the inhabitants and disturb the peace of the Territory, but also to subvert the ends of justice, by causing the intimidation of witnesses and jurors; and,

*Whereas*, this movement of troops has been made without consultation with me, and, as I believe, is in opposition to both the letter and spirit of my instructions; and,

*Whereas*, Genl. Johnston, commander of the military department of Utah, has refused my request that he would issue the necessary orders for the removal of the above mentioned troops:

*Now, therefore*, I, ALFRED CUMMING, Governor of the Territory of Utah, do hereby publish this my solemn protest against this present military movement, and also against all movements of troops, incompatible with the letter and spirit of the annexed extract from the instructions received by me from government for my guidance while Governor of the Territory of Utah.

*In testimony whereof*, I have hereunto set my hand, and caused the seal of the Territory to be affixed. Done at Great Salt Lake City, this twenty-seventh day of March, A.D., eighteen hundred and fifty-nine, and of the Independence of the United States the eighty-third.

{ L.S. }

ALFRED CUMMING.

By the Governor:

JOHN HARTNETT,
Secretary of State.

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EXTRACT.

"It is your duty to take care that the laws "are faithfully executed, and to maintain "the peace and good of the Territory and "also to support by your power and author-"ity the civil officers in the performance of "their duties. If these officers when thus "engaged are forcibly opposed, *or* HAVE "JUST REASON TO EXPECT OPPOSI-"TION, they have a right to call such por-"tions of the posse comitatus to their aid as "they may deem necessary. If circumstances "should lead you to believe that the ordinary "force at the disposal of such officers will be "insufficient to overcome any resistance that "may be reasonably anticipated, then you "are authorized to call for such number of "troops as the occasion may require, who "will act as a posse comitatus, and while thus "employed, they will be under the direction "of the proper civil officer, *AND ACT IN "CONFORMITY WITH THE INSTRUC-"TIONS YOU MAY GIVE AS THE "CHIEF EXECUTIVE MAGISTRATE "OF THE TERRITORY."*

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PROVO, 25th March, 1859.

KIRK ANDERSON, ESQ., }
Editor Valley Tan: }

SIR:—The following is substantially my Charge to the Grand Jury, empannelled for the 2nd Judicial District, delivered in this city on the 8th inst.

Very respectfully,
JOHN CRADLEBAUGH.

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### Discharge of the Grand Jury.

I will say to you, gentlemen of the Grand Jury, that from what I learn, it has been some time since a Court has been held in your District, by a judicial tribunal having cognizance of criminal matters.

No person has been brought to punishment for crimes committed for more than two years. From what the Court learns, crime after crime has been committed.

There is no such effectual way of stopping crimes: no means have been found so effectual. as the sure and speedy punishment of the offender. So far as you and your community are concerned, it is a very important matter to you, if you desire innocent and unoffending persons to be protected, that you diligently prosecute all persons who are violators of the law.

Before I close the remarks which I intend to make to you, I will call your attention, particularly to certain and many crimes that have been committed.

It is first my pleasure, however, to call your attention to the legislation and general condition of matters within the Territory, which affect and operate upon the administration of the criminal laws. The Legislature has not given that aid that is desired to enable the Courts to do their duty: neither have they provided means to carry on the Courts, but on the contrary, have so legislated as to embarass and prevent the Courts from bringing public offenders to justice.

By legislation in all States and Territories outside of this, it is provided by law that persons who commit offences can be arrested, brought before Justices of the Peace, Judges, or other committing Magistrates, the complaint examined into, and if such committing magistrate is satisfied, that there is a probable cause of guilt against the accused, he may commit, or recognize him, to appear before a tribunal having competent jurisdiction to try the case. Such provision of law does not seem to have been made here.—There is no legislative enactment to authorise a Justice of the Peace or other committing Magistrate, either to commit a prisoner or to recognize him to appear before this Court.

It is, however, provided by law that criminals may be arrested on complaint, before Justices of the Peace; and if the case is such that the Justice has not jurisdiction to hear the case and pass final sentence upon the accused, if the accused and person making the complaint do not settle the matter, then the Justice may direct the constable or officer having custody of the prisoner, to take him immediately to a court having jurisdiction to try the case.

The District Courts cannot always be in session. The officer having custody of the prisoner has no authority to detain him. By legislation, however, criminal jurisdiction is given to the Probate Courts, which courts are by law always open for the transaction of business.

The object of this legislation is to prevent criminal cases being brought into this Court, and to direct them to the Probate Court; whilst the fact is, that the District Courts are the only tribunals possessing criminal jurisdiction under the Organic Act of the Territory. The Probate Courts can have or exercise no such jurisdiction. The Organic Act provides for *Supreme, District* and *Probate* Courts, and vests in Justices of the Peace limited authority. It says that these courts shall have such jurisdiction as is limited by law. The legislature is governed and controlled by the Organic Law. When that act provides that the jurisdiction of Probate Courts shall be as limited by law, it means only to confer upon the legislature the power to vest in them such jurisdiction as belongs to the character of a Probate Court. The legislature are as fully authorised to establish courts unknown to the Organic Act, as to vest in those lawfully established jurisdiction unknown to it. They can as lawfully give Probate jurisdiction to the District Court, as they can give criminal jurisdiction to a *Probate* Court.

A prosecution before such a court is no bar to a prosecution in this; and it is as illegal and void as if the trial had been before a California Vigilance Committee.

Persons aiding in a prosecution before that Court would be liable in a civil action for damages to any person prosecuted therein, no matter how guilty he might be.

I make these remarks to impress upon your minds the determination of this Court to assert its jurisdiction and to punish crime.

At the last session of the Legislature I understand that a Code Commission was appointed to revise the laws. I hope they will take this subject into consideration.

This legislation seems to be skilfully drawn so as to prevent the District Courts from discharging their duties; but as though it had been insufficient to accomplish that object, we find the late Executive of the Territory joining in the crusade against the courts and denouncing the judges, jurors and members of the bar in the vilest terms.

That too while the Governor was the sworn executive officer of the Territory—sworn to take care that the laws should be faithfully executed. There is no question about this. I learn these facts from a sermon of his, published in the "Deseret News" the church organ.

Respect for my position, the high regard I entertain for a profession to which I have been attached so long, and my duty to you, gentlemen, render it a necessity that I should repel such slanders, come from what quarter they may.

I understand that the late Executive had a suit in court at the time; and these remarks were made by him, because in a *single* instance he was unable to control the jurors.

I speak of this because it was an effort to destroy the independence of the jury and the efficiency of the court. You should manifest that you are not to be governed by such outside influences, if they are brought to bear upon your minds. I said to you in the outset that the commission of a great number of crimes, in this District, had come to my knowledge. I shall call your attention to a few of them. The perpetrators of these crimes have not been prosecuted. The reason why I cannot tell. It strikes me, however, that certain outside influences have prevented their prosecution.

If you do your duty you will not neglect to enquire into these matters, nor will you allow the offenders to go unpunished.

I may mention to you the massacre at the Mountain Meadows. In that massacre a whole train was cut off, except a few children who were too young to give evidence in court. It has been said that this offence was committed by the Indians.

In committing such an outrage, Indians would not be so discriminate as to save only such children as wound be unable to give testimony of the transaction in a court of justice. In a general slaughter, if any were to be saved by Indians, they would have been most likely those persons who would give less trouble than infants. But the fact is, there were others there engaged in that horrible crime.

A large organized body of white persons, are to be seen leaving Cedar City, late in the evening, all armed, travelling in wagons and on horseback under the guide and direction of the prominent men of that place. The object of their mission is a secret to all but those engaged in it. To all others the movement is shrouded in mystery. They are met by another organized band from the town of Harmony. The two bands are consolidated. Speeches are made to them by their desperate leaders in regard to their mission. They proceeded in the direction o

the Mountain Meadows. In two or [illegible] days they may be seen returning from [illegible] direction, bearing with them an immense amount of property, consisting of hundreds of mules, horses, cattle and wagons, as spoils of their nefarious expedition. One a train of one hundred and forty persons fifteen infants alone remain, who are too young to tell the sad story. That Indians were engaged in it, there is no doubt, but they were incited to engage in it, by white men, worse than demons.

I might give you the names of the leading white persons engaged; but prudence dictates that I should not. It is said the Chief *Kanosh* was there. If so, he is amenable to law and liable to be punished. The Indians complain that in the division of the spoils they did not get their share; that their white brothers in crime did not divide equally with them, but gave them the refuse. I will also call your attention to a case near here, at Springville—the murders of Potter and the Parrishes. The Parrishes and Potter, being satisfied with the condition of affairs there, are about to leave for California. In deeming it safe to leave in the daytime, they start out in the evening. Within a short distance of the south gate of the city [illegible] two of the Parrishes, father and son, and Potter, are most brutally murdered. Over Parrish, a lad of seventeen or eighteen years of age, is with them at the time. He makes his escape and succeeds in getting back to his uncle's house in the village. By his testimony you will learn the names of the persons who were identified in the commission of that offence. He will be able to tell you who followed him to the house of his uncle.

These murders took place on the [illegible] March, 1857. Springville is a village of a few hundred inhabitants. Here are the persons butchered in the most inhuman manner, and the criminals go unwhipt of justice.

At the same place, about a year ago, Henry Forbes, a young man who came in from California on his way to the States, was also murdered. He arrived there after the difficulties arose between this community and the general government. While there he made his home at Partial Terry's and had been there but a week or two, when his horse and revolver were stolen. *Of course that was done by the Indians!!* He afterwards made his escape, tried to get over the mountains to Bridger, was caught, brought back and murdered; and that is the last of Henry Forbes. No investigation was made, and the body has been removed several times since it was first interred, so that now its whereabouts probably could not be discovered. Shortly after Forbes' murder, Terry trades off his horse (*which the Indians stolen!!*) for sheep. Forbes is said to have left a wife and two children in the state of Illinois. He manifested an anxiety to get back to them. They may even yet know nothing of his fate.

Henry Jones, was also murdered at Provo Town, about a year ago. He was captured up at Salt Lake City; having recovered from the effects of it and gone to Payson, he was there set upon, chased to Pond-Town, about three miles distant, and there shot.

It is reported that he had committed some sin which is looked upon in the Church unpardonable. His mother was also murdered for some cause. Jones was taken back to Payson, pitched into the house, cabin, dug-out, in which they had lived, by three of the murdered body of his mother; and the house pulled down over them for a common tomb in which both lay buried without coffin or shroud.

There is another matter to which I would to call your attention. A few days before the murder of the Parrishes and Potter, Parrish's stable was broken into in the night and his carriage and horses taken out. Two of these horses have never been returned. Lysander Gee, of Tooele City, has those horses. He says that they were brought to him, placed in his possession, and he was directed not to part with them; but to keep them at all hazards. Now, does it not look strange, that a person should go to Parrish's stable, break it open, rob Mr. Parrish of his horses, take them to Lysander Gee, and give him to keep them. Does it look reasonable? Is it not more reasonable to suppose that Lysander Gee was himself engaged in committing this outrage? The wife of Parrish told me that on account of the robberies committed upon them about the time of the murder of her husband, and being left with a family of children, she has since been compelled to live in the very dregs of poverty, at times living upon bread and water alone.

Here is a case of public notoriety, where the private property of a family is taken by a party taking it with the sanction of the community, and brazenly and boastingly carrying it with him through the Territory. Let bring that man up; compel him to restore the horses; give back the property to the widow of the murdered man. Do not allow her to live in poverty while such scoundrels are driving about with the property of her husband to which she is entitled.

It is not pleasant to talk about crimes that have been committed, but it is my desire that you shall investigate them.

My object in particularly calling your attention to these crimes, is, that the responsibility shall be with you, if the offenders are allowed to go unpunished. The Court will do its duty, and the question is whether you will bring these offenders to trial. I might have called your attention to many other crimes which have been committed in the District. For the present I have deemed it unnecessary.

Some cases of larceny and also of purchasing the clothing of soldiers, have occured at Camp Floyd, to which I shall call the attention of the Attorney for the Territory.

Unless you faithfully discharge your duties, this community cannot escape the odium of the offences to which I have called your attention. To allow these matters to pass over, gives a color of authority for commission of crime.

The very fact that such an affair as the Mountain Meadow massacre should so long have been left uninvestigated, shows that there is some person high in the estim

tion of the people, by whose authority crime is committed.

Such is the view that will be taken of it, unless you do your duty fully and fearlessly.

You can know no criminal code, but the laws of Congress and of this Territory. No person can commit crimes and say that they are authorized by higher authorities. If such notions are entertained here, they must be dispelled.

(After which the Court gave the Grand Jury the usual instructions, as to the manner of their organization, and the rules of law regulating the finding of Indictments and their return into Court, &c.)

## Second Judicial District Court.

On Thursday, Friday and Saturday the examination of witnesses in the cases of the murder of Jones and of the Parrishes was continued, and many important facts were elicited.

The writ of attatchment issued by the court in favor of N. Croesbeck having been served by him in person, the court ordered that the marshal should take all the property levied upon in this manner by the plaintiff, and return it to the defendant, and that the plaintiff should pay the costs.

SUNDAY, March 27.

Marshal Dotson returned from Great Salt Lake City to-day, having in his custody Abram Durfee and Joseph Bartholomew, two of the principals in the murder of the Parrishes and Potter.

These men report that Wilber J. Earl, who was the leader in the murder, came to them and told them that their lives were in imminent peril if they remained in Springville, and that it was counseled to them to leave and go to Salt Lake City. They therefore, led by Earl, left in the night, and avoiding the road altogether, traveled along the base of the mountains to the city. At the point of the mountain, south of the city, instead of coming round by the road they crossed over the mountain. When they reached Big Cottonwood creek their suspicions were aroused in regard to the motives of Earl in leading them to the city, because he was anxious to have them cross the creek at a particular point, which was out of their way, and which was very lonely, and clothed with a dense thicket of willows and underbrush. They refused to go there and cross; but soon after they had passed the Cottonwood, a man rode down from that point and passed on to the city at full speed.

When they reached the city, they were met by a policeman carrying a gun, who exchanged some words with Earl, and soon after a gun was fired close to them, as they suppose for a signal. At the firing of this gun Earl told them not to be alarmed, that it was nothing.

A little further on they met several policemen, all carrying guns who followed them as far as the Council House. Here Earl left them, and he had not gone far when several men came up to him and commenced a low conversation. When they separated from Earl they told him they were going to Mr. Stringham's, instead of which they went immediately to the store of Messrs. Livingston, Kinkead & Co., and claimed protection.—They had but just got into the store when a number of policemen walked past as they suppose to follow them. They have no doubt but that it had been planned to put them out of the way in order to prevent the possibility of their giving any information in regard to the crimes in which they are implicated. Mr. Kinkead placed them under the care of Secretary Hartnett, with whom they remained until the arrival of Marshal Dotson. They traveled the whole distance from Springville by night; distance 60 miles.

MONDAY 28.

Court met pursuant to adjournment and adjourned to await the arrival of Mrs. Parrish and other witnesses.

Deputy marshal Brookie returned this evening, bringing with him Mrs. Parrish and two witnesses in the case of the murder of Jones and his mother.

The marshal reports that he experienced the greatest difficulty in discovering the residences of any one for whom he sought, the inhabitants generally either refused to answer his questions or else telling him direct falsehoods, sending him away from the place for which he was seeking.

The Bishops of Springville, of Payson, of Lehi and of this city are all gone, as well as the President of this Stake.

The marshal searched the house of George Hancock, the Bishop of Payson at an early hour, but the bird had flown. Hancock was the principal actor in the murder of Jones and his mother.

Four of the grand jurors who had been selected by the county court to serve at this term of the district court, are known to have fled to escape arrest, they having been implicated in these murders. The father-in-law of another of the grand jurors has also fled; several of the others have not called for their pay. These facts form a most striking commentary upon the working of the law prescribing that the juries shall be selected by the county court, which was passed by the Legislature at its last session and which was signed by Gov. Cumming.

Through the workings of this law the grand jury at the present session of this court, was composed of the very men who were the most guilty criminals engaged in the commission of these terrible murders of the past three years, together with their relatives, friends and accomplices.

Recent advices from Cedar City and the other towns near the scene of the Mountain Meadow massacre, report them to be almost entirely depopulated. In Cedar City there remains but twelve families out of a population of between eight or nine hundred inhabitants.

We are also informed that Ka-nosh is concentrating his tribe in that vicinity, and has been joined by two other tribes from the south. These Indians are already one thousand strong and express their determination to resist any attempt on the part of the *Americans* to arrest *any one* in that vicinity. There are many white persons now with them leading their movements.

Tuesday, 29th.

This morning, at about 3 o'clock, Marshal Dotson, accompanied by Deputy Marshal Stone, and a civil posse of five men, and a company of the 2nd Dragoons, commanded by Lieuts. Gordon and Livingston, and accompanied by Lieut. Kearney of the 10th Infantry, (a requisition having previously been made by the Marshal upon Major Paul for this force), left this city with the utmost secrecy, and proceeded to the town of Springville, the scene of the murder of the Parrishes, of Potter, and of Forbes, for the purpose of determining whether any of the persons for whom warrants have been issued were secreted therein.

Previous to the departure of the main body a small party were detached, and proceeded rapidly to a point on the road where they stationed themselves in such a manner as to intercept any express which might be sent to warn the citizens of Springville of their approach.

Upon reaching the town it was immediately surrounded by details from the company of Dragoons who were so stationed that no one could leave the city unperceived of them.

The Marshal with his posse then entered the town, and at daybreak commenced the search of all those houses in which it was suspected that the villains might be concealed. The Bishop's house was one of the first entered, but no one was found therein except his ten wives. These received the Marshal with very good grace, and in a most cheerful spirit, joking with him about the fruitlessness of his search.

After a thorough search, not one of the offenders could be found, and it was discovered that not only those who have been already implicated have run off, but also *fully one half* of the male inhabitants of the city have fled, leaving their numerous wives and families at home, at the mercy of the "Gentiles" and of the "licentious soldiery" —by them so much dreaded.

After the guards had been removed from about the town, several of the citizens invited the posse to breakfast, and all except the soldiers dispersed in little parties to breakfast. It having been rumored that there was a large party concealed in Hobble Creek Kanyon, a guide was procured, and the posse proceeded up the kanyon some eight miles. The snow, however, here become very deep, so that the horses could not proceed farther, and not the slightest trace have been as yet found of them. The party returned to this city from their unsuccessful search.

The Court met this morning at 10 o'clock, and proceeded immediately with the examination of Mrs. Parrish, and her son Orin Parrish. I shall send you in a day or two a complete history of this dreadful murder. The connection of the church authorities with the murder is fully established by the testimony of Durfee and Bartholomew.

It was not until the arrest of these men that the mass of those who have left the southern settlements fled. As soon as they gave themselves up in Salt Lake City, an express was sent down from there, giving notice of that fact, and stating that they were going to turn States evidence, and this caused the general stampede.

The effect of this stampede of the dignitaries of the Church, has been to cause a general spirit of disaffection towards the church among those who are left. Men who have heretofore been staunch Mormons express themselves astounded to find that those whom they had looked up to as examples of honesty and righteousness are now fleeing before a shadow; and they reason with much force that it is guilt alone which makes them flee, for there is nothing to fear if they have not participated in these crimes. "The guilty flee when no man pursueth."

An express reached this city this afternoon, and distributed copies of the Governor's Proclamation, dated on the 27th inst.

The effect of this Proclamation has been to create a great excitement among a certain class of the people; and it is openly asserted here that the militia are to be called out shortly by the Governor to drive the troops from here by force, if they are not called away by Genl. Johnston.

An Indian trader in town informed me that this afternoon he has been beseiged by persons who wished to purchase from him his powder and lead.

There is now no doubt as to which side of the fence Governor Cumming stands on. He has joined himself heart and hand with Brigham Young and his Bishops, to endeavor, even by force perhaps, to prevent the investigation of the dreadful, inhuman butcheries perpetrated by the Mormon church. The next thing which we expect to hear is, that Brigham has determined to carry into practice the doctrines which he once publicly preached from the stand in regard to human sacrifices [you re-published it recently in the columns of the Valley Tan], and that the Governor has called upon the army to assist Brigham in the butchery of his victims. It will be just as reasonable and as appropriate as the present action of his Excellency.

The following affidavit was this evening made by the witnesses for the prosecution now present in this city, and copies were sent to the Judge and to Gen. Johnston:—

Territory of Utah, } ss.
Utah County, }

We, Albert Parrish, Henry Higgins, James C'Bannion, Leonard Phillips, Orin Parrish and James Gammell, do solemnly swear that we are and have been, for several years past, residents of the Territory of Utah; that we were summoned to appear as witnesses before the United States District Court for the 2nd Judicial District of said Territory, which convened at the city of Provo, on the 8th March, 1859; that we possessed certain knowledge of various crimes which had been in the past two or three years committed in said district, on account of which said knowledge we had been so summoned; that on account of the participation in, or sanction afterwards of the said crimes, by the community in which said crimes were committed, emanating as we believe from the authorities of the Mormon church; we considered our lives and property in imminent peril from the Mormon community, should we appear and testify to the facts within our knowledge, unless a portion of the United States troops should (as they have been) be stationed in the town of Provo, near enough the Court room to guarantee safety, and that from the Mormon community we have received threats of intimidation, in case we should divulge the facts concerning said crimes, which have come to our knowledge, and which threats we believe would have been carried into execution but for the timely aid afforded by the Commanding General in the stationing of troops, now in and near this city; and further, we believe our lives to be in danger henceforward without military protection from United States troops. And further deponents saith not.

(Signed) LEONARD PHILLIPS,
His
JAMES X BANNION,
mark.
JAMES GAMMELL,
HENRY HIGGINS,
ALBERT G. PARRISH,
His
EVAN X PARRISH.
mark.

Subscribed and sworn to before me this 29th day of March, 1859.

CHARLES E. SINCLAIR,
Associate Justice Supreme Court,
Utah Territory.

WEDNESDAY, 30, 10 a. m.

Court met pursuant to adjournment of yesterday.

Judge Cradlebaugh made the following remarks in open Court, in regard to the extraordinary Proclamation lately issued by Governor Cumming:

"I have received a document from Alfred Cumming, Governor of this Territory, which in its reading purports to be a Proclamation, while in the body of the document it would seem to be a kind of *protest*. Instead of being addressed to the General, Commanding the Department of Utah, it seems to be intended for the public at large. Taking the whole thing together, it seems to be designed to exasperate the people of this Territory against the troops, to obstruct the course of public justice, and to excite insubordination in the Army.

In this document, Governor Cumming speaks of a company of United States Infantry, being stationed around the Court House, in which I am now holding a term of the District Court, and also of several additional companies of Infantry, one of Artillery, and one of Cavalry, being stationed in sight of the Court House.

He also says that the presence of these soldiers has a tendency, not only to terrify the inhabitants and disturb the peace of the Territory, but also to subvert the ends of justice by causing the intimidation of witnesses and jurors.' He says that 'this movement of troops has been made without consultation, with him and 'against the letter and spirit, of his instructions.

In regard to his statement that troops are stationed 'around the Court House at Provo,' I have only to say that the assertion is not true. They are stationed near the Court House, and entirely on one side of it.

The additional Troops referred to as being 'stationed within sight of the Court House,' are at least *four* miles distant. This assertion, must have been designed to create a false impression, as to the relative situation of the Court House and the troops.

In regard to the inhabitants being terrified by the presence of troops, it is proper to say that many of them are very much annoyed by their being here at this time, but those who seem to be stricken with terror have fled the country on account of crimes committed by them, and the fear of just punishment for their offences. Among them are to be found several of the *Jurors*, Presidents of "stakes," Bishops and also civil officers of the Territory.

It is perhaps proper to say that the Grand Jury was selected by the County Court, under a recent act of the Legislature of this Territory, which was signed and approved by Governor Cumming, and that several notorious criminals were members of it.

That none but those who are conscious of guilt are under the influence of fear, is manifested by the fact that at all times, when the Court is in session, the Court room is crowded by hundreds of citizens.

The assertion that witnesses and Jurors are, or have been intimidated by the small military detachment near the Court House, is without foundation. While the real fact is that witnesses have been threatened and intimidated by the very inhabitacts who are said to be so much terrified.

To such an extent has this been carried, that witnesses who appear and testify in behalf of the prosecution, are compelled to seek safety under the protection of the troops that are here, many of them having signed a petition requesting that the troops shall not be removed, and representing that their security and safety depended upon their presence.

In regard to the statement that the troops are here without consultation with His Excellency, the Court has yet to learn that it is subservient to, and cannot act except under Executive dictation."

Time was requested by the counsel for the defence, in order to procure their witnesses. They state, that the witnesses had been here, but had "stampeded." The Marshal has been after these witnesses several times already, but they have fled and are not to be found.

The Court expressed its entire willingness to adjourn the Court from day to day, and give the defence every possible assistance in its power in procuring witnesses.

Mr. Wilson, the Territorial Attorney made a statement of a great number of cases, which have come to his knowledge, and requested to know of the Court whether it would proceed with the investigation of them. The Judge replied that he would not examine any cases at this place, except those in which he had already issued warrants. But that he would devote his time at his place of residence, during the ensuing summer, until the Chief Justice arrives who will supercede him in this District, to the investigation of all criminal matters within the District, and hoped to be able to probe them to the bottom.

It will be recollected that by an act of the Legislature, passed at its last session, Judge Cradlebaugh was transferred to the Carson Valley District, but he has the right to continue to act here, as a Committing Magistrate, until the arrival of Judge Eckels who was transferred to this District.

The Police Marshal of this City rode into the hall of the Court House this morning after the adjournment of the Court, on horse back. He was slightly intoxicated at the time. This looks certainly as if the Court House was under military occupation—does it not?

Not a single soldier has entered the Court House on military or other duty, since they have been stationed here. The prisoners even, have always been brought in, in the custody of the Marshal, and the soldiers have not left the guard house.

PROVO, March 31, 1859.

KIRK ANDERSON, ESQ.:—

SIR—The last Deseret News states that the Grand Jury, discharged by me at the present term of the District Court, at the city of Provo, protested unanimously against their discharge and the language used to them.—This is an unqualified falsehood. No such protest was ever presented to the court or came to my knowledge until I read of it in that paper. The Grand Jury dispersed very soon after they were discharged: several of them had been engaged in the commission of the very crimes they were investigating, and left precipitately, fearing that they would be arrested for the murders they had committed. We will thank the church authorities most sincerely if they will furnish the Marshal of the Territory with information as to the locality of these *protestors*, for the Marshal, with several vigilent deputies, have not as yet been able to find the least trace of their whereabouts.

Very Respectfully,
JOHN CRADLEBAUGH.

Upon the very interesting topic, the Overland mail question, the Washington correspondent of the St. Louis *Herald*, writes as follows:

I begin to think that the Overland mail between your city and California by that circuitous route to fort Yuma, over which I indulged in some "blowing" a couple of months ago, costs a great deal more than it is worth, and that the Central Mail route leading to Salt Lake City is the only one deserving of support by the Government. We all have an interest in maintaining the latter route in preference to the other for many reasons, and the most prominent among these reasons are the shortness of the route compared with the other, and the condition of things requiring the constant vigilance of the Government in the Territory of Utah.

ORSON HYDE.—This eccentric apostle of the Latter Day Saints, who, it will be remembered, delivered a lecture in the old Placer Theater, in this city, some years since, on which occasion, if we recollect aright, promulged the brilliant idea that the stellar universe constitutes the heaven of disembodied spirits, or in other words, the soul of every defunt individual will have the right to settle a pre-emption claim upon some particular star in the sky. It appears that Orson has an eye single to the temporal as well as spiritual land titles of the Saints, and has recently favored the San Francisco *Alta* with a lengthy communication upon the subject of the herd ground grants of Utah, etc., etc., upon which the *Alta* makes the subjoined comment:

Eler Hyde's remarks in regard to monopolies in Utah, doubtless contain a great deal of truth; but as this forms but an insignificant item in the long record of sins of omission and commission perpetrated by the Mormons at Salt Lake, it is a subject of no very grave import, and we are content to receive his explanation of the matter as the correct one. The Elder pays a high compliment to the conduct of the soldiers attached to Col. Johnston's command when he says, "I have traveled in many countries in the four quarters of the world—have resided in towns in and near which soldiers were stationed—but have seen none apparently more orderly, and kept more within the rules of propriety and decorum. than the American soldiers now at Camp Floyd, under the command of General Johnston." This is indeed a singular compliment to emanate from such a source. One year ago, and no epithets were too vile to apply to the army; the whole Mormon vocabulary being exhausted in searching for terms of denunciation to heap upon the heads of the soldiers and their officers.—*Semi-Weekly Observer*, Placerville, Cal.

MRS. FUBBS AND MR. FUBBS—*Correct Views of the Farmer.* — "Fubbs, I want to talk awhile, and I want you to listen while I do it. You want to go to sleep, but I dont; I'm not one of the sleepy kind. It's a good thing for you, Mr. Fubbs, that you have a wife who imparts information by lectures, else you would be a perfect ignoramus. Not a thing about the house to read, except a little Bible that the Christian Association gave you, and a tract which that fellow called Porter left one day, entitled 'Light to the Heathen.' It's well he left it, for you're a heathen, Fubbs: you may feel thankful you ain't a Mormon! Yes, I understand that insinuation, too, you profane wretch! You mean you're glad you haven't but one wife. You never would have known there was a Mormon, Mr. Fubbs, if I ha'n't told you, 'cause you're too stingy to take a paper!

Now, Fubbs, I declare your name ought to be Fibs—you tell so many of 'em. It's only last week I lost a dollar and a half on butter I sold to a peddler, because I didn't know the mark t price. This would have paid for the paper the whole year. And then you are so ignorant, Fubbs. Don't you recollect when you took the gun and walked down to the big marsh ahunting, because some one said the Turkeys were marching into Rushes? Y-e-s y-o-u d-i-d. You need'nt deny it, Fubbs. Didn't kill any, did you? It was a bad day for turkeys, wasn't it Fubbs? Ha! ha! ha!"

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THE Subscriber having made important improvements in the manufacture of Whisky is now enabled to sell it at

*THREE DOLLARS A GALLON.*

His large Rectifier is in successful operation, and he can now recommend it to the public as the most superior article ever brought into this market.

WILLIAM HOWARD,

Big Cottonwood Distillery, three miles south of the Sugar House, or at Mr. G. Clements, Salt Lake City.
23—tf

KIRK ANDERSON'S VALLEY TAN.

We take the following from our latest eastern dates:

### Senate.

After a few private bills, an important special message was received from the President, asking to confer on him the power to use the army and navy to protect the transit route. The message was partially debated by Mason, Clingman, Benjamin Douglas, and Davis, who were more or less in favor of it, and Seward and Fessenden thoroughly against it.

Without acting, the Senate adjourned.

The President to-day transmitted a message to Congress, as follows:

*To the Senate and House of Representatives:*

The brief period which remains of your present session, and the great urgency and importance of legislative action before its termination, for the protection of American citizens and their property whilst in transit across the Isthmus routes between our Atlantic and Pacific possessions, render it my duty again to recall the subject to your notice. I have heretofore presented it in my annual messages, both of December '57 and '58, to which I beg leave to refer. In the latter I stated that the Executive government of this country in its intercourse with foreign nations is limited to the employment of diplomacy alone, where this fails it can proceed no further. It cannot legitimately resort to force without the direct authority of Congress, except in resisting and repelling hostile attacks. It would have no authority to enter the territories of Nicaragua, even to prevent the distruction of the transit, and protect the lives and property of our own citizens on their passages. It is true that, on a sudden emergency of this character, the President would direct any armed force in the vicinity to march to their relief, but in doing this he would act upon his own responsibility. Under these circumstances I earnestly recommend to Congress the passage of an act authorizing the President, under such restriction as they may deem proper, to employ the land and naval forces of the United States in preventing the transit from being obstructed or closed by lawless violence, and in protecting the lives and property of American citizens traveling thereupon, requiring, at the same time, that these forces shall be withdrawn the moment the danger shall have passed away. Without such a provision, our citizens will be constantly exposed to interference in their progress, and to lawless violence. A similar necessity exists for the passage of such an act for the protection of the Panama and Tehauntepec routes. Another subject, equally important, which commanded the attention of the Senate during the last session of Congress—

[Telegraph still in operation at the hour of going to press.]

House.—The House went into committee on the army appropriation bill.

Mr. Stanton, of Ohio, offered an amendment to strike out the appropriation of recruiting, in which he proposed to test the sense of members, as to whether they were in favor of a reduction of the army. It was considered during the debate.

Mr. Lovejoy, of Ill., said that he wanted to put the army between the horns, so as to have merely a skeleton hung up for the study of practical anatomy. He was credibly informed, and believed that the army was used to get up Indian wars, and establish garrisons to advance the price of town lots. Some months ago there was a great cry against the Mormons, and it was urged that they should be exterminated, merely because they perferred white concubines to black. (Laughter.) He was proceeding to reply to Mr. Letcher's remarks of yesterday, about nationality, when he was called to order by Mr. Phelps, of Mo., for irrelavancy.

Mr. Lovejoy said the point of order always comes from the vast deep when the harpoon touched the blubber.

Mr. Phelps, joining in the laughter, said that he had only insisted on the observance of the rules.

Mr. Stanton's amendment was rejected: Ayes, 35; noes not counted.

Mr. Comins, of Mass., said that he did not desire an army to be like our militia of Mississippi, which, according to an editor of that State, had an abundance of officers, but no arms or privates.

Mr. Davis, of Mississippi, replied that the people of his State were able to defend themselves without arms against northern or foreign invaders with arms.

Mr. Comins said that he did not intend to reflect on the people of Mississippi.

Mr. Washburne of Illinois, moved an amendment protecting the military reservations from trespass, and stated that the Rock Island reservation was being stripped of its timber and despoiled of its value, and that the War Department was making no adequate effort to protect it. After some debate, the amendment was rejected.

Mr. Faulkner offered an amendment cutting off the brevet pay. He said that there exists throughout the country a strong impression that the brevet rank is demoralizing and leads to subserviency and favoritism.

Mr. Benham, of S. C., trusted that this step would not be taken, as it would cut down the pay of the General commanding, Lieutenant General Scott, who had fairly won every honor that had been bestowed on him.

The amendment was rejected—ayes, 40; nays, 80.

The other amendments were acted on, when the committee rose, and the House adjourned.

### Military Orders.

Headquarters, Department of New Mexico,
Fort Defiance, December 25, 1858.

General Orders,
No. 11.

1. The Colonel commanding the Department announces with pleasure to the troops that, by an agreement this day entered into, between Colonel James L. Collins, Superintendent of Indian Affairs, and certain chiefs and head men of the Navajoe Nation, the war with the Navajoes is brought to a close.

To Lieutenant Colonel D. S. Miles, 3d Infantry, the commander of the expedition are due the thanks of the Department Commander for his activity in prosecuting the war, and his strenuous exertion in bringing it to a successful close. He is relieved from duty with the troops, and will take post at Albuquerque.

II. To the officers and troops collectively, who have served in this campaign, much praise is due for the energy and perseverance exhibited by them, under trying and adverse circumstances. Major E. Backus, commanding the 2d column; Major T. Holmes, commanding 8th Infantry Battalion, and Major C. F. Ruff, commanding mounted rifles have each rendered good service, and are entitled to many thanks.

III. On account of the scarcity of forage, the mounted troops will move in advance. Maj. Ruff, with Capt. Elliott's Company A, Mounted Rifles, and Companies K and B, 8th Infantry, Lieutenants Willard and Cooke, commanding, is assigned to Fort Stanton.

IV. Major T. H. Holmes, 8th Infantry, with Company I, same regiment, Lieutenant Lazelle, commanding, will proceed to Fort Bliss, Texas.

V. Captains Lindsay and Morris, Mounted Rifles, with their Companies H and G, are assigned to Fort Union.

VI. Companies F and C, Mounted Rifles, commanded by Brevet Captain Granger and Lieutenant Howland, will, on Tuesday, the 28th instant, escort the Department Commander, Colonel Bonneville, Lieutenant Colonel Miles, 3d Infantry, and Colonel Collins, Superintendent of Indian Affairs, to Albuquerque. These companies will then proceed to Fort Craig, when Captain Granger will report for duty to Major Siminson. Lieutenant Howland will proceed to Fort Fillmore, stopping at Fort Thorn to collect his company property.

VII. The detachment of Company I, 3d Infantry, now at Fort Craigwill, will join the headquarters of said company at Las Lunas.

VIII. Captain Schroeder, with his Company D, 3d Infantry, and Lieutenant Cogswell, with Company E, 8th Infantry, will proceed with Don Jose Valdez, his spies and guides, to Santa Fe; Don Valdez will turn in his arms and equipments, and with his spies and guides will be discharged from the service of the United States.

The Utah and Indian spies and guides will accompany Capt. Shroeder to Santa Fe, turn in their arms and equipments, and being discharged, will return to their own country.

Capt. Schroeder will return to his company D, to Cantonment Burgwin. Capt. Duncan with his company E, Mounted Rifles, is assigned to Cantonment Burgwin. Don Blas Lucero, with his spies and guides, will proceed to Albuquerque, turn in his arms and equipments to Major D. H. Rucker, Assistant Quartermaster, and will be discharged from the service of the United States.

The thanks of the Department Commander are due to Don Jose Maria Valdez and Don Blas Lucero, their spies and guides, as well as the Utah Indians, serving as spies and guides, for their zeal and activity during the period of hostilities.

IX. Brevet Captain Hatch, with company I, Mounted Rifles, will proceed to Fort Craig, and report to Major Siminson for duty.

X. As heretofore indicated, Major Electus Backus, 3d Infantry, is assigned to the command of Fort Defiance, and is charged with the execution of this order. He may detain a portion of the foot troops until the arrival of the next train, of which he can avail himself of transportation to Albuquerque. He will receive special instructions in reference to the execution of the agreement made with the Navajo Indians this day.

XI. Captain Van Bokkelen, Assistant Quarter-master, will turn over to each Company Commander, as far as practicable, the same mules, saddles and pack equipments as were turned in by them, to the Quartermaster Department. These animals and equipments are designed to go with each company to its post. Major Backus will indicate to each detachment the day of its departure, and the amount of Cantonment Burgwin, will join his company at Albuquerque.

XII. Lieutenant M. L. Davis, Third Infantry, on being relieved at subsistence to be carried hence.

XIII. Lieutenant Colonel Grayson, chief of the Subsistence Department, has amply provided, under adverse circumstances, for every want of the troops.

The Medical Department, under Surgeon Sloan, has been administered in a manner equally satisfactory. The untiring and successful efforts of Major Rucker, to supply this army in the field, is worthy of all praise. He was most ably and efficiently supported by his chief, Major Donaldson, who, from his headquarters at Santa Fe, administered to the wants of his extensive Department in a most satisfactory manner.

XIV. Captain Trevitt's company, F, Captain Syke's company, K, Captain Ward's company, E, commanded by Lieutenant Shipley and Brevet Lieut. Colonel Chandler's company, I, Third Infantry, commanded by Lieutenant Whistler, have been most actively employed on escort duty in the enemies' country. I take much pleasure in acknowledging the arduous services they have rendered.

XV. Assistant Surgeon T. Ghiselin, Medical Department, will return with Major Ruff's command to Fort Stanton.

B. L. E. BONNEVILLE,
Col. Third Infantry, Commanding.

We clip the following items from one of our late California exchanges:

By the Overland Mail, we have the *Southern Vineyard*, of Los Angeles, to March 1st, from which we derive the following intelligence:

The Utah Trade.—Since February 1st, including those that will leave to-day, there has left Los Angeles one hundred and fifty wagons loaded with goods for Utah. These goods belong to merchants engaged in trade there. The gross value of the goods here must be about $180,000

For The Central Wagon Road.—S. A. Bishop will leave this evening, March 1st, for the Colorado River and the Central route Wagon Road. Mr. Bishop has a party of about forty men, to be engaged in work on the road. He takes a train of pack mules, and twelve camels. He will cross the river at the mail route crossing, and work east until he meets Lieutenant Beale's party.

Movements of U. S. Troops.—By orders from headquarters of this military district, the march of the dragoons, now at Fort Tejon, for the Mojave villages, has been indefinitely postponed, and Major Allen, A. Q. M., ordered to San Francisco. The difficulty of communication, and of simultaneous arrival on the field of action, between the dragoons and main body, has caused this change.


LAGER BEER!




HOT SPRING BEWERY.

WE will endeavor to furnish the superior Malt Liquors of the above establishment in quantities to suit purchasers.

X.X.X. ALE, PORTER, and our unrivalled BEER, furnished to customers either at the Brewery, or at our Beer Saloon in Camp Floyd.

FOR THE ACCOMMODATION OF TRVAELERS, We have opened Dining Rooms at the Brewery, where meals can be procured at all hours.

We have secured a good supply of hay and oats, and an attentive hostler is ready to take care of animals.

OUR PRICES, in consequence of the high price of provisions and the difficulty of procuring them, are as follows:

| | |
|---|---|
| Single meals, | $1 00 |
| Supper, breakfast and lodging, | 2 00 |
| For animals, for a single feed of hay, per head, | 50 |
| " " hay and grain, " | 1 00 |

and double those prices for feed over night.

N. B. The highest cash preces paid for BARLEY and for produce of all kinds delivered at the Brewery.

MOGO, BURR & CO.

Hot Springs, Point of Mountain, South of City.

SALT LAKE HOUSE.

*JAMES TOWNSEND,—Proprietor.*

Prices of Board.

| | |
|---|---|
| Board and Lodging per week, | $12 50 |
| Board, (without Lodging,) | 10 00 |
| Board, per day, | 2 50 |
| Supper, Breakfast and Lodging, | 2 00 |
| Single meal, | 1 00 |
| Animals, per night, hay and grain, | 2 00 |

Payments to be made in advance.
15--3m

U. S. Mail Line

*From St. Joseph to Great Salt Lake City.*

NOTICE is hereby given that passengers will not be carried by us on any section of this mail route until further notice, and that the agents and conductors on the route are positively forbidden from taking passengers, on any conditions whatever.

J. M. HOCKADAY & CO.,
Feb. 14, 1859. By P. K. Dotson, Agent.

MILLER, RUSSELL & Co.

WHOLESALE AND RETAIL DEALERS IN
*FOREIGN AND DOMESTIC GROCERIES, HATS AND CAPS,*

WINES, LIQUORS, CIGARS, &c.

THEIR stock consists in part of the following articles, viz:

| | | |
|---|---|---|
| Tea, | Coffee, | Chewing Tobacco, |
| Sugar, | Spice, | Smoking Tobacco, |
| Powder, | Shot, | Playing Cards, |
| Pepper, | Mace, | Cinnamon, |
| Nutmegs, | Caps, | &c., &c. |
| Pale Cognac Brandy, | | Monongahela Whisky, |
| Dark do | do | Bourbon do |
| New York do | | Rectified do |
| Gin, | | Port Wine. |

*FANCY GROCERIES.*

| | |
|---|---|
| French Mustard, | Mixed Pickles, |
| Durham do | Assorted do |
| Assorted Jams, | do Gherkins, |
| do Jellies, | Piccolilli, |
| do Syrups, | Pickled Onions, |
| do Cordials, | Tomato Catsup, |
| Brandy Peaches, | Walnut Catsup, |
| do Cherries, | Mushroom Catsup, |
| do Pears, | Cayenne Pepper, |
| Asssorted West India Preserves, | Cellery Seed, |
| | Spanish Olives, |
| Rhubarb Pie Fruit, | Pepper Sauce, |
| Peach do | Assorted Sauce, |
| Apple do | do Nat. Preserves, |
| Flumb do | Capers Capottes, |
| Raspberry do | Natural Pres'ed Pines, |
| Gooseberry do | Roast Turkey, |
| Blackberry Brandy, | Roast Chicken, |
| Raspberry Brandy, | String Beans, |
| Fresh Lobster, | Green Peas, |
| Pickled do | do Corn, |
| Fresh Clams, | Assorted Herbs, |
| Mince Meat, | do Sweetmeats, |
| Sausage Meat, | Natural Preserved |
| Fresh Cauliflower, | Peaches, |
| Pickled do | Nat'l PreservedStrawberries, |
| Worcestershire Sauce, | |
| Stoughton Bitters, | Natural Preserved |
| Fresh Salmon. | Damsons, |
| Fresh Tomatoes, | Mushrooms, |
| French Pickles, | Asparagrus, |
| Hostetter Bitters, | Tarrigon Vinegar, |
| Boker's do | Fields' Oysters, |
| Le Drard's do | Cove do |
| Royal Windsor do | Pine Apple Cheese, |
| Maraschino, | Olive Oil, |
| Curacco, | Assorted Candies, |
| Absynth, | Raisins, |
| Scotch Ale, | Almonds, |
| London Porter, | English Walnuts, |
| Scheidam Schnapps, | Brazil Nuts, |
| Golden Grape Cognac, | Figs, |
| Old Virginia Peach Brandy, | Dates, |
| | Prunes, |
| Mountain Dew Whisky, | Pecans, |
| | Crackers, |
| Family Supplies, | Crackneils, |
| Morning Call, | E. D. Cheese, |
| Indian Queen Maderia, | |

also a large and well selected stock of

| | |
|---|---|
| Clothing, | Hats and Caps, |
| Gents Boots & Shoes, | Hardware, |
| Ladies Shoes, | Notions, |
| Woolen Gloves, | Hosiery, |
| do Mitts, | Buck Gloves, |
| do Scarfs, | do Mitts, |
| Stationery, &c., | do Gauntletts, |

All of which they offer upon the lowest terms for cash or country produce.

G. S. L. City, Dec. 1st, 1858 6tf

WANTED:

A FEW good Mules in exchange for good Working Cattle. Apply to
2 tf GILBERT & GERRISH.

A CARD.

G. S. L. City, Nov. 4, 18[illegible]

The undersigned would most respectfully inform the citizens of Utah that they are still doing business at their old and well known stand in Great Salt Lake City, where the most desirable goods, adapted to the wants of the people, may always be found. They have also established a house at Camp Floyd, where the same style of goods as kept here may be had at the same uniform rates. It may be an object for those travelling south, to know that they can procure their supplies at Camp Floyd, at the same prices as they are sold at in this city.

Thankful for former patronage extended by the people of this Territory, they would respectfully solicit a continuance of the same.

LIVINGSTON, KINKEAD & CO.

In the course of ten days we shall be able to inform our friens with certainty concerning our [illegible] expected. 1-tf L. K. & Co.

L. & A. CARR

WHOLESALE
*BOOKSELLERS, STATIONERS*
AND
BLANK BOOK MANUFACTURERS,
No. 49 Main Street,
ST. LOUIS MO.

KEEP constantly on hand, all spelling books, arithmetics, grammars, geographies, philosophies, reading books, histories, dictionaries, &c., now in use, which they offer at the LOWEST PRICES.

Their stock of
FOREIGN AND DOMESTIC
STATIONERY,
BLANK BOOK
PRINTING
AND WRITING
PAPER,

Has been selected with the greatest care, and is equal to any in the West. Having an

EXTENSIVE BINDERY,

Attached to their establishment, they are prepared to manufacture all kinds of Blank Books to order, at the shortest notice.

14--tf

MOUNT VERNON HOTEL,
AT
*CAMP FLOYD, UTAH TERRITORY*
CHARLES HARRISON,
PROPRIETOR.

TRAVELERS and boarders can always be accommodated with the best the market affords, and neat and comfortable apartments.

P. S. Farmers will be paid the highest cash for all kinds of country produce.

12--tf

NEW GOODS.

JUST received a full stock of [illegible] GOODS, selected expressly for this market.

1-tf GILBERT & GERRISH.

$10 REWARD.

STRAYED or stolen from pasture, West Mountain (Lewis' Ranche) one sorrel roan Horse, branded JR on the near shoulder. The above reward will be given for his return.

10—tf RADFORD CABOT, &c.

FOR SALE,

LAGER Beer and Ale, in bbls, suit purchasers. Manufactured by Mogo, Burr & Co.

10—tf RADFORD, CABOT & Co.

FOR SALE,

ONE Thousand head of Sheep in lots to suit purchasers. I will take in exchange for them, wheat, oats, and barley.

10—tf CHARLES MOGO. Hot Spring Brewery.

D. W. BAYLIES & SON, WATCH MAKERS,

WOULD respectfully inform the citizens of this City, and Camp Floyd, that they have just received from the East, a large assortment of Watch material, and will promptly repair any watch or other jewelery, committed to their care. C. Stebbins, at the Store of Livingston, Kinkead & Co., their Agent at Camp Floyd, and will promptly forward and receive all watches placed in his hands, free of charge, for carriage.

G. S. L. City, January 3rd, 1859.

10—tf

CHAS. MAURICE SMITH,
*ATTORNEY AND COUNSELLOR*
AT LAW.
Great Salt Lake City, Utah Territory.

S. M. BLAIR,
ATTORNEY AND COUNSELLOR
*AT LAW.*
Office—Council House st., opposite Miller & Co's store.

RADFORD, CABOT & Co.

WHOLESALE AND RETAIL DEALERS IN
GROCERIES, DRY GOODS, IND[illegible] GOODS, ETC.,
At the old stand of Mr. Howard, Great Salt City.

1-6m

WAGONS.

A FEW light kanyon wagons for sale by

1-tf GILBERT & GERRISH.

EMPIRE SALOON.

THE BAR is now furnished with a large and choice lot of liquors, wines, &c., purchased with great care, and to which the attention of those desiring WHOLESOME refreshments is respectfully called.

2—tf JOHN M. WALLACE.

COW STRAYED.

ON the 23d October last, a small [illegible] light red COW, white face, and a thick [illegible] around her horns, horns small; was giving milk. I think she was branded Attwood on the horns, but not certain. Please bring her to Curtis E. Bolton ward, G. S. L. City, opposite the School House, and be well rewarded.

WORK CATTLE.

100 YOKE of Work Cattle in good working condition, for sale by

1-tf GILBERT & GERRISH.

MILLER, RUSSEL & Co.,
*Wholesale and retail dealers in*
FOREIGN & DOMESTIC GROCERIES,
Boots & Shoes, Hats & Caps,

HARDWARE, WINES, LIQUORS AND [illegible] and outfitting goods generally, are now receiving the most complete stock of goods in their line that has ever been brought to this Territory, which they offer at a low figure, for Cash or Country Produce.

1-tf